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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/063,411 | 04/21/2002 | Sharon Flank | EMTN.P-001-3 | 9901 |

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| EXAMINER | |
|---|---|
| COBY, FRANTZ | |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2171 | 7 |

DATE MAILED: 07/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 10/063,411 | FLANK, SHARON | |
| | Examiner | Art Unit | |
| | Frantz Coby | 2171 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *21 April 2002*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-7* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-7* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *2*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

This is in response to application filed on April 21, 2002 in which claims 1-7 are presented for examination.

***Status of Claims***

Claims 1-7 are pending.

***Information Disclosure Statement***

The information disclosure statement filed May 06, 2002 is in compliance with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609. It has been placed in the application file and the information referred to therein has been considered as to the merits.

***Specification***

The abstract of the disclosure is objected to because it contains language that implies "the invention concerns". Correction is required. See MPEP § 608.01(b).

Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:
(1) if a machine or apparatus, its organization and operation;
(2) if an article, its method of making;
(3) if a chemical compound, its identity and use;
(4) if a mixture, its ingredients;
(5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

## *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crawford et al. U.S. Patent no. 5,649,221 in view of Berstis U.S. Patent no. 6,708,311.

As per claim 1, Crawford et al. disclose "a method for use with a system storing digital media records, the system comprising a vocabulary file of words keyed to the digital media records" by providing a method of word retrieval for electronic dictionaries (See Crawford et al. Col. 1, lines 6-13). In particular, Crawford et al. disclose the claimed feature of "receiving a search query by computer from a user, the search query including words; logging the search query by computer, yielding a query log" by proving a dictionary retrieval system that enables access to a desired word by entering one word or two word combination that defines the word sought (See Crawford et al. Col. 1, line 65-Col. 2, line 67). Although Crawford et al. disclose the feature of "processing the query log to identify words in the query log" (See Crawford et al. Abstract).

It is noted, however, Crawford et al. did not specifically detail the aspect of "processing the query log to identify words in the query log which are not words already included in the vocabulary file and which are not words which are variants of words already included in the vocabulary file, the processing performed by computer, said words defined as "not-found words;" adding the not-found words to the vocabulary file, and the not-found words to the digital media records" as recited in the instant claim 1. On the other hand, Berstis achieved the aforementioned limitations by providing a method and apparatus for

creating a glossary of terms in which a glossary of terms is automatically constructed for the document comprising term and the definition of the new term (See Berstis Col. 1, lines 34-64).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the electronic dictionary of Crawford et al. wherein the dictionary provided thereof would have incorporated the methodology of adding words into a dictionary disclosed by Berstis. The motivation being, to have enhanced the electronic dictionary of Crawford et al. by allowing it include words within synonym groups more efficiently; thus, rendering documents more readable and providing users with some manner of understanding unfamiliar terms (See Berstis Col. 1,lines 46-50).

As per claim 2, most of the limitations of this claim have been noted in the rejection of claim 1. In addition, Crawford et al. disclose the claimed feature of "wherein the vocabulary file further comprises a thesaurus and the step of keying the not-found words to the digital media records comprises adding the not-found words to the thesaurus" (See Crawford et al. Col. 6, lines 15-21; Figure 4).

As per claims 3-4, most of the limitations of these claims have been noted in the rejection of claim 1. In addition, Crawford et al. disclose the claimed feature of " wherein the adding and keying steps are performed manually"; and "wherein the adding and keying steps are performed automatically" (See Berstis Figure 16; Col. 15, line 20-Col. 16, line 38).

As per claim 5, most of the limitations of this claim have been noted in the rejection of claim 1. In addition, both Crawford et al. and Berstis disclose the claimed feature of " wherein the processing step comprises morphological analysis" since they are both directed to the processing of words; and morphology is understood as the study of word formation.

As per claim 6, most of the limitations of this claim have been noted in the rejection of claim 1. In addition, Berstis discloses the claimed feature of "wherein the processing step comprises spell checking" (See Berstis Col. 6, lines 39-Col. 7, line 5).

As per claim 7, most of the limitations of this claim have been noted in the rejection of claim 1. In addition, Crawford et al. disclose the claimed feature of " wherein the processing step comprises name identification" (See Crawford et al. Abstract).

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantz Coby whose telephone number is 703 305-4006. The examiner can normally be reached on Maxi-Flex (Monday-Saturday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703 308-1436. The fax

phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Frantz Coby
Primary Examiner
Art Unit 2171

July 08, 2004